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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,241	05/30/2001	Philip D. Lapsley	8514-50	8211
60460 7590 07/05/2007 MARGER JOHNSON & MCCOLLOM/INDIVOS 210 SW MORRISON STREET SUITE 400 PORTLAND, OR 97204			EXAMINER MALHOTRA, SANJEEV	
			ART UNIT 3693	PAPER NUMBER
			MAIL DATE 07/05/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## **Requirement for Information under 37 CFR §1.105**

The Applicants and the assignees of this application are required under 37 CFR §1.105 to provide the following information that the Examiner has determined is reasonably necessary to the examination of this application.

The information is required to identify products and/or services embodying the disclosed subject matter of a method for tokenless biometric authorization of an electronic transaction between a consumer and a merchant using an electronic identifier and an access device as well as information supporting what the Applicants/assignees may have disclosed to the public.

The Examiner has conducted a preliminary assignment search and would like to know the details behind the Applicants' response that stated: "The claims are patentable over Pare and Hoffman (two patents used by Examiner to reject the claims in this Application), which are commonly assigned together with the present application." Specifically, the Examiner requests that the Applicants/assignees provide the dates of changes in the conveyance of assignorship (e.g., Aviv or Excel Innovations or Smart Touch or Veri Star or Indivos or Bank of New York) from one assignee to another for each of the three applications (Pare, Hoffman, and this Application) from January 1994 onwards to the present date. This should include any annulments and/or name changes of the assignor/assignee entities. Further, the Examiner respectfully requests the Applicants/assignees to provide the actual names of assignees for each of the three applications that were assigned on the priority date (May 31<sup>st</sup>, 2000) and the filing date (May 30<sup>th</sup>, 2001) of this present Application (No. 09/871/241).

Additionally, the Examiner has found other patents/applications to be relevant/related to the present invention/application that were not disclosed by the

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Applicants. The Examiner respectfully requests the Applicants to disclose all patents and patent publications/applications where any one of the three present inventors (Philip D. Lapsley, Philip J. Gioia, or Michael Kleeman) are also the inventors/co-inventors.

The fee and certification requirements of 37 CFR §1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 CFR §1.105 that are included in the Applicant's first complete communication responding to this requirement. Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 CFR §1.105 are subject to the fees and certification requirements of 37 CFR §1.97.

In responding to those requirements that require copies of documents, where the document is a bound text or a single-article over 50 pages, the requirement may be met by providing copies of those pages that provide the particular subject matter indicated in the requirement, or where such subject matter is not indicated, the subject matter found in applicant's disclosure.

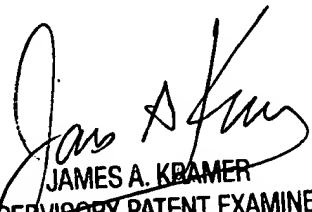
This requirement is subject to the provisions of 37 CFR 1.134, 1.135 and 1.136 and has a shortened statutory period of two (2) months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

## **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanjeev Malhotra whose telephone number is 571-272-7292. The examiner can normally be reached on Flexible schedule. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James A. Kramer can be reached on 571-272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SM

  
JAMES A. KRAMER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600  
6/25/07